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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

The United States of America, by and through Daniel G. Bogden, United States Attorney,
17
and Brian Pugh and Sarah E. Griswold, Assistant United States Attorneys, moves to dismiss
18
Counts Nine, Eleven, and Twelve of the Indictment.

Respectfully submitted this 13th day of February 2012.

DANIEL G. BOGDEN
United States Attorney

/s/ Brian Pugh
BRIAN PUGH
SARAH E. GRISWOLD
Assistant United States Attorneys

CERTIFICATE OF SERVICE

2 The undersigned hereby certifies that he is an employee in the office of the United States
3 Attorney for the District of Nevada and is a person of such age and discretion as to be competent to
4 serve papers and that on February 14, 2012, a copy of the foregoing document will be hand
5 delivered and served on Brett Depue, defendant.

/s/ Brian Pugh
BRIAN PUGH